

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Confirmation No. 6442
Yardena SAMUELS *et al.*) Group Art No. 1342
Serial No. 10/591,347) Examiner: Goddard, Laura
Filed: August 31, 2006) Atty. Dkt No: 001107.00617
For: Mutations of the PIK3CA Gene in Human)
Cancers)

PETITION TO MAKE SPECIAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RELIEF REQUESTED

Please advance examination of the subject application pursuant to 37 C.F.R. § 1.102 and M.P.E.P. § 708.02 (X). Please accord “special” status to this application because it relates to cancer.

Please charge the fee under 37 C.F.R. § 1.17(h) of \$130 to our Deposit Account No. 19-0733.

REASONS WHY RELIEF SHOULD BE GRANTED

The subject invention contributes to the diagnosis of cancer by providing methods of assessing cancer in humans suspected of having cancer. It also provides methods of treating cancers in humans. These methods are the subjects of claims 1-30 and 31-38, respectively.

The application identifies the PIK3CA gene as a subject of intragenic mutations which are clustered. See paragraph 17. The gene is an excellent marker for detection of early cancer and for monitoring cancer. See paragraph 15. The mutations have been found in a variety of different tumors, making its applicability broad. See paragraph 18.

It is respectfully submitted that petitioners have explained how the invention contributes to the treatment of cancer. Grant of “special” status is therefore appropriate.

Respectfully submitted,

Dated: July 19, 2010

By: _____ /Sarah A. Kagan/
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